Los Agreles County Sheriff's Department Officer Involved Shooting

Page _ 1 of _ 5

Report Date:	06-21-0	4	Bureau/Station/Facility:	Twin Towers	Correction	nal Facility	Admin. Inv	est.?	Hit?
	00210			Incident Inforr	nation				
URN: San Be	ernardino C	o. She	riff's #110408813	Date:	06-21				0110 Hours
City or Station:		Alta L		audoids and core and	PURPORT CORRES	a cear his car. The	OTMAGS MOODERS D	KOREN. PHE UILLE	th his 2" revolver, looks as outside to investigate
Location:	Mount Ca	-		Thoms 9mm Beretta	d he feared the susp a he shot with his Re	ar and both suspects run towards their car. Deputy bects had stolen it. One of the suspects stops and cretta, Deputy Thoms fired 3 rounds from his revolved it is unknown if either suspect was shot.			
Location Type (circle one or mo Backyard Beach Business Freeway Industrial Park Parking Lot Residence	rcle oné or more): Darkness Daylight Other Street Lights reeway Industrial Park Parking Lot Cleab Cloudy Sesidence		ghis	Incident Type (circle one or more): Accidental Amed Person Fleeing Suspect Foot Pursuit Gun Take Away Moving Vehicle Sniper/Ambush Startle Struggle Involved Traffic Stop		Initiated by (circle only or Arrest Warrant Call Observation One Person Unit Other Search Warrant Two Person Unit Prior Activity (circle only Detective		rt t	
School Street		Rain		Unarmed Perso Unintentional	ors		Other	e Transpor) ne Patrol	t
Other:		Distance	ppx. 25 Feet	Vehicle Pursuit Warrant Service	Э		NOGUI	HE LERDI	
Total # of Shots F	ired by Deputy	Total # of	Shots Fired by Suspect	Other	Off-Duty		Aero (Jnit?	Canine Unit?
3	With a day of the same	Shirt de de Care		Employee Witr	nesses				
Employee #	Last N	lame		Name	M.I.	ShiftTime (circle	only one): Day	Regular	(circle only one): Overtime Off Duty
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Employee #	Last N	lame	First	Name	M.I.	ShiftTime (circle EM PM	only one): Day		(circle only one): Overtime Off Duty
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Street Address			City		Zip		Work	Ph	Llore Di
Last Name					First I	Name			M.I.
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Last Name					First	Name		4	M.I.
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7/10/2-11-14		a Parish a see a Maria	ate a state of the same	Superviso		(circle one or			A HA SOUTH HOLDING CASE
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Employee#	Last Name	Mitche	First Na		M.I	(circle one or On Duty	more): uring shooti	V	Vitness to shooting nvolved in shooting
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Employee #	Last Na	me			ŀ	H SE INGUIS			197.1.
				Watch Comm	ander				
Employee#	Last Na	ıme			F	First Name			M.I.

PSTD Use Only

SH # 2121419

Officer	lı

	SINTER STATE		Rollout Informati	on	4.30	
Arrival Date	06-21-04	Arrival Time 0700	Date Submitted	Date of Recommendation		
Employee #	Last Name	Sutton		First Name Wes	M.I	M
Employee #	Last Name	Harris		First Name John	M.I	W
Employ	Last Name	166		First Name STACY	M.I	4
		Shr	orting / Force Info	The second secon		

				Shoo	ting / Force Informa	tion			2000			
Veth	od					Тур	e of Injur	У		Bod	y Par	t Injured
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Bran (AK) (BR) (BR) (CO) (CO) (CO) (GL) (HI) (HK)	AK-47 Benelli Beretta Browning Charter Arms Colt Davis Industries Glock Harrington & Richardson Hi Standard H & K Ithica	(IV) (JE) (LU) (MA) (MO) (NC) (NA) (NO) (RA) (RM) (RG)	Iver Johnson Jennings Lorcin Luger Marlin Mossberg NCI aka SKS North America Northco Raven Remington RG	(RI) (RO) (SW) (SRI) (ST) (TA) (WE) (WE) (US) (VY) (XX)	RGI Rossi Smith & Wesson Sturm Ruger Sterling Taurus Weatherby Winchester US Government Handmade (Inmate) Homemade (Non-Inmate) Other Brand	(NN) Calli (9) (10) (12) (20) (21) (22)	NONE 9 mm 10 mm 12 guage 20 guage 22-250 22 caliber 223 caliber	(24) (25) (30) (35) (36) (38) (40)	.243 ca .25 caii .308 ca .357 ca .30-60 c .38 caii .40 caii	ber liber liber aliber ber	(41) (44) (45) (50) (SL) (WW)	.410 guage .44 caliber .45 caliber 50 mm Slug Other calib

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH	BR	9	N	N	NN	
E#1	S#1	FH	SW	38	Υ	Y	NN	

URN: __San Bernardino Co. Sheriff's #110408813

Page 3 of 5

-				Involved Employee		
	Employee #	Last Name Thoms			First Name Robert	M.I.
1	Sex: Race: White	Rank Deputy Sh	neriff	Unit Assignment: TTCF	Work Assignment (Unit	#, Module, etc.): Off/I.O.D.
:	ShiftTime (circle only one): EM PM (Oay)	StriftType (circle only one Regular) Overtime Off Du		Intoxication/Drug Usage?	Substance Used:	
-	Hospital Admission?	Hospital Name:		Coroner Case?	Coroner Case #	Interviewed?
L	Hrs of sleep prior to shooting: 30 Minutes Age: Height: 47 6	Outy Time (hrs): Off/I.O.D. Weight: 230 Lbs	Plain Ck	(circle only one): Othes no Vest Othes w/ Vest Uniform no Vest Oket no Vest Uniform w/ Vest		ty Thoms was off-duty, at e of this shooting.
-	Range Qualification Date:		PPC Qu	alification Date:	Laser Training	Date:
-	Certified with Weapon Used?	Patrol Certifica	tion?	Certification Unit: TEM	Prior Shootings?	Number of Prior Shootings:
ŀ	Field Training Officer Emp #	1-1-1-1-			First Name	M.I.
t	Field Training Officer Emp #	Last Name			First Name	M.J.
1	Employee #	Last Name	MATEUR 175 11 111	477.WE	First Name	M.I.
	Sex: Race:	Rank		Unit Assignment:	Work Assignment (Unit	#, Module, etc.):
	ShiftTime (circle only one): EM PM Day	ShiftType (circle only one Regular Overtime Off Du		Intoxication/Drug Usage?	Substance Used:	
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				aldication Date:	Laser Training	Date:
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	Certified with Weapon Used?		tion?	Certification Unit:		
	Certified with Weapon Used? Field Training Officer Emp #	Last Name	tion?	Certification Unit:	First Name	M.I.
	Certified with Weapon Used? Field Training Officer Emp # Field Training Officer Emp #	Last Name	tion?	Certification Unit: Unit Assignment:	First Name First Name	M.I. M.I.
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URN:	San Bernardino Co. Sheriff's #110	14088
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		Juspect	Information First Name	***************************************	M.I.
ast Name Unknown/Outsta	anding				M.J.
AKA Last Name			First Name		IVI. J.
Sex: M Race: Hispanic	Street Address:		City		State & Zip Code
Work Phone:	Home Phone:	Social Sec	curity #:	Driver's License #:	
Age: D.O.B.	Height Weight	FBI#		Cli#	
Booking #	Primary Charge:		Secondary Charge:		
Coroner Case?	Coroner Case #		Intoxication/Drug Usage?	Substance Used:	
Armed?	Apprehended?		Mental Illness?	Criminal History?	
Vehicle Make			Model:	Year:	
	Honda	C. C	4-door	(18 M. A. S.	
Last Name Unknown/Outsta	anding		First Name		M.I.
AKA Last Name			First Name		M.L.
Sex: Mace: Michaelic	Street Address:		City		State & Zip Coo
Work Phone: Hispanic	Home Phone:	Social Sec	curity #:	Driver's License #:	
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t 1.t.l. Bilmian			Model:	Year:	
Vehicle Make	Honda		Model: 4-door	Year:	
	Honda			Year;	M.I
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Last Name	Honda Street Address:		4-door First Name	Year:	M.I
Last Name AKA Last Name Sex: Flace:		Social Sec	4-door First Name First Name City	Year: Driver's License #:	M.I
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SUPPLEMENTAL NON-EMPLOYED WITNESSES Los Angeles County Sheriff's Department

Page 5 of 5 Non-Employee Witnesses M.I. First Name Last Name Street Address M.I. First Name Last Name Zip Code Street Address M.I. First Name Last Name Zip Code Work Ph Home Ph Street Address M.I. First Name Last Name Home Ph Zip Code Work Ph Street Address M.L First Name Last Name Zip Code Work Ph Home Ph Street Address M.L. First Name Last Name Work Ph Home Ph Zip Code Street Address M.L First Name Last Name Home Ph Zip Code Work Ph Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Work Ph Home Ph Zip Code Street Address M.I. First Name Last Name Home Ph Zip Code Work Ph Street Address M.L First Name Last Name Home Ph Zip Code Work Ph Street Address First Name M.I. Last Name Zip Code Work Ph Home Ph Street Address M.L First Name Last Name Zip Code Home Ph Work Ph Street Address First Name M.I. Last Name Home Ph Zip Code Work Ph Street Address M.L First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Zip Code Work Ph Home Ph Street Address

INVESTIGATIVE SUMMARY

INVESTIGATIVE SUMMARY USE OF FORCE

OFFICER INVOLVED SHOOTING (NON-HIT) TWIN TOWERS CUSTODY FACILITY

IAB: #SH2121419 SAN BERNARDINO COUNTY SHERIFF'S CASE: #110408813

On June 21, 2004. at approximately 0110 hours, Deputy Robert Thoms of Twin Towers Correctional Facility was involved in an off-duty shooting at his home in the City of Alta Loma.

Deputy Thoms was in bed and had just fallen asleep when he heard the alarm on his car "chirp." Deputy Thoms armed himself with his Smith & Wesson, 2 ½ inch revolver and went downstairs to investigate. Deputy Thoms looked out his kitchen window and saw a male (Suspect #1) standing near a vehicle parked in the street, east of his home. He then saw that the drivers door to his (Thoms) vehicle was open. Deputy Thoms vehicle was parked in his driveway, facing the garage door of his home. The passenger's side door of his vehicle was closest to the front entry door of his home (Refer to Photograph, Exhibit #D).

Deputy Thoms went outside to his driveway to investigate further. When Deputy Thoms got to his driveway, near the front of his vehicle, he yelled at the suspect that was standing next to the suspect vehicle. After Deputy Thoms yelled, a second suspect (Suspect #2) exited the drivers side of Deputy Thoms' vehicle and began to run to the suspect vehicle. Deputy Thoms realized that his vehicle was just "broken into" (burglarized) and he remembered that he had left his Beretta (Duty Weapon) locked inside.

Deputy Thoms yelled at the suspects again and the second suspect stopped near the passengers door of the suspect vehicle. The second suspect then turned and faced Deputy Thoms. Deputy Thoms feared that the second suspect had armed himself with his (Thoms') Beretta and was going to shoot him. Fearing for his life, Deputy Thoms fired three rounds at the second suspect, from his Smith & Wesson Model #66, 357 Magnum revolver. Both suspects then entered the suspect vehicle and fled eastbound on Mount Cambridge Court, out of sight. Deputy Thoms immediately went inside his home and called the San Bernardino County Sheriff's Department. He advised them that his vehicle had just been burglarized and he believed the suspects stole his Beretta. Deputy responded and handled the incident. A search of the area for the suspects or their vehicle was conducted, but neither was located.

It is unknown if either suspect was struck by gunfire. Deputy Thoms was not injured in the incident. A safety check of the area revealed no injured citizens and no damaged property was found. Deputy Thoms' Beretta was found and recovered by Deputy from the grassy area, approximately ten feet outside the drivers door of Deputy Thoms' vehicle.

INVOLVED PERSONNEL:

Deputy Thoms, Robert # Twin Towers Correctional Facility Custody Division

EMPLOYEE WORK HISTORY:

Thoms, Robert
Date of Employment
Date Assigned to Patrol
Completed Patrol Training
Date Assigned to TTCF
Prior Shooting Incident(s)
Founded Force Incidents, Past 5 Yrs.



SUSPECTS:

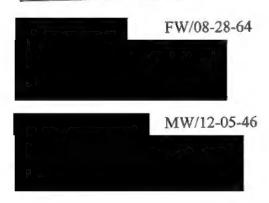
Suspect #1, Unknown/Outstanding
Male, Hispanic/White, 20-29, Shaved Head, Dark Clothing, Hooded Sweatshirt

Suspect #2, Unknown/Outstanding
Male, Hispanic/White, 20-29, Shaved Head, Dark Clothing, Hooded Sweatshirt

SWORN EMPLOYEE WITNESSES:

None

CIVILIAN WITNESSES:





SUSPECTS INJURIES:

Unknown

DEPUTY INJURIES:

Deputy Thoms was not injured during the incident.

IAB Note: Deputy Thoms is currently of work as "Injured On-Duty" status. He has been off work for approximately 18 months due to a shoulder injury and surgery.

PHYSICAL EVIDENCE:

Deputy John Chun (process) from the Crime Lab responded several hours after the incident occurred. He attempted to obtain suspect fingerprints from Deputy Thoms' Beretta and vehicle. Deputy Chun was unable to recover any identifiable fingerprints from either the car or gun (Refer to Report, Exhibit #B).

LAB Note: The San Bernardino County Sheriff's Department did not request their Crime Lab. They did not list Deputy Thoms' Beretta as stolen/recovered, nor did they hold it for fingerprints.

INVESTIGATOR OBSERVATIONS:

Myself (Sgt. Sutton) and Sergeant John Harris of Internal Affairs Bureau conducted a search and safety check of the area. Deputy Thoms pointed out the general direction he believed his gunshot rounds may have traveled. A check of these areas met with negative results for bullet strikes or any type of damage or injury caused by the gunshots.

I took possession of Deputy Thoms' Smith & Wesson revolver. I found it to be loaded with three live rounds of .38 Special and three chambers were empty. Deputy of the recovered the three expended shell casings and held them as evidence (Refer to Crime Report, Exhibit #A). I took the revolver to the crime lab for examination by Deputy Rines of Scientific Services Bureau, Firearms Identification Section (Refer to Scientific Services Bureau Report, Exhibit #C).

Sergeant Harris took photographs of the incident location (Refer to Photographs, Exhibits #D, E & F).

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Thoms, Robert

Deputy Thoms fired three rounds from his Smith and Wesson, Model #66, 2 ½ inch, 357 Magnum revolver (Refer to Photograph, Exhibit #H).

WEAPONS USED BY SUSPECTS:

None

PROPERTY DAMAGE:

None Found

CRIMINAL INVESTIGATOR AND CHARGES FILED:

None

IAB Note: On July 22, 2004, at approximately 0940 hours, I spoke with Detective Sergeant of the He advised me that no suspects were in custody related to this incident. He also said that the case has not been assigned to an investigator and is inactive at this time, due to the lack of workable information. I requested Sergeant to notify me when and if an arrest is made.

LIGHTING OR WEATHER CONDITIONS:

The incident occurred at approximately 0110 hours, on June 21, 2004. It was night time and the area was partially lit by overhead streetlights.

INVOLVED EMPLOYEES STATEMENTS:

Deputy Thoms, Robert

Refer to "Involved Employee Interview" section (verbatim transcription).

CIVILIAN WITNESS STATEMENTS:

On June 21, 2004, at approximately 1230 hours, I (Sgt. Sutton) conducted a telephonic interview with Mrs. Mrs. Mrs. of Deputy Robert Thoms. The following is a summary of the interview.

On June 21, 2004 at approximately 0100 hours, Mrs. said she was sleeping in her bedroom when she heard the alarm "chirp" on husband's (Dep. Thoms) vehicle. She said Deputy Thom's got out of bed and went outside to investigate. Approximately five to ten minutes later she heard three (3) gunshots. She heard the gunshots shortly after Deputy Thoms went to investigate. Mrs. said she was still partially asleep when Deputy Thoms went downstairs to investigate the car alarm.

Immediately after the gunshots, Mrs. heard a vehicle speeding away. Mrs. did not hear any voices or yelling, prior to or after the gunshots.
When Deputy Thoms returned to the bedroom, he told her to "stay put," then he called police.
On June 21, 2004, at approximately 0710 hours, Sergeant Harris of Internal Affairs Bureau interviewed Mr. at his home. The following is a summary of the interview.
Mr. said at approximately 0100 hours (06/21/04), he was lying awake in bed with his bedroom window open. He said he heard what sounded like approximately four (4) gunshots. Mr. then heard a vehicle accelerating away. He said the vehicle's engine sounded like a "moped."
Mr. said he thought nothing about the gunshots because he has heard gunshots during the night in the past. Approximately fifteen minutes later, he heard several patrol cars arrive on his street and a helicopter was overhead. Mr. said he got out of bed and looked outside his home. He saw four or five patrol cars and saw police officers searching the homes across the street from him.
Mr. said he did not hear any voices prior to the gunshots. He said he was not interviewed by responding police and he did not see or hear anything else.
On June 21, 2004, at approximately 0720 hours, Sergeant Harris of Internal Affairs Bureau interviewed Ms. at her home. The following is a summary of the interview.
Ms. was in her bedroom at about 0100 hours (06/21/04) when she heard approximately three (3) gunshots. She said the shots sounded like they came from near her neighbor's (Deputy Thom's) home. She did not hear any voices before or after the gunshots, nor did she hear the sounds of any vehicles driving away.
Ms. said the bullets from the gunshots sounded like they were striking a metal object. She said she was not interviewed by responding police officers.
Ms. did not see or hear anything further.

On June 21, 2004, at approximately 0700 hours, I (Sgt. Sutton) interviewed Ms. at her home. The following is a summary of the interview.
On June 21, 2004, at approximately 0100 hours, Ms. said she was awakened by three (3) gunshots. She said the gunshots were followed by a car speeding away. Ms. said she heard some voices yelling but could not recall if they were before or after the gunshots.
Ms. did not know where the gunshots came from, but her husband (got out of bed and went outside to investigate. She later learned that the gunshots were fired by Deputy Thoms.
Ms. did not see or hear anything further.
On June 21, 2004, at approximately 1330 hours, I (Sgt. Sutton) conducted a telephonic interview with Mr. The following is a summary of the interview.
On June 21, 2004, at approximately 0105 hours, Mr. was in bed when he heard two (2) gunshots, followed by a vehicle speeding down his street (Mount Cambridge Court). He said the vehicle sounded like a small import type.
Mr. said he was contacted by deputies from the San Bernardino County Sheriff's Department later that morning. Mr. did not see or hear anything further.
On June 21, 2004, at approximately 0725 hours, I (Sgt. Sutton) interviewed Ms. at her home. The following is a summary of the interview.
On June 21, 2004, at approximately 0100 hours, Ms. said she heard three (3) gunshots from her bedroom. Her bedroom is located in the back of her home, across the street from Deputy Thom's home. Immediately after the gunshots she heard a vehicle speeding away. Approximately five minutes later she heard another vehicle speeding near her home.
Ms did not hear or see anything further.

On June 21, 2004, at approximately 0732 hours, I (Sgt. Sutton) interviewed Ms. at her home. The following is a summary of the interview.

On June 21, 2004, at approximately 0100 hours Ms. said she was in bed, awakened by two (2) gunshots. She did not hear or see anything further.

On June 21, 2004, at approximately 0732 hours, I (Sgt. Sutton) interviewed Mr. at his home. The following is a summary of the interview.

On June 21, 2004, at approximately 0100 hours Mr. said he was seated on his sofa in his livingroom when he heard three (3) gunshots. He then heard a vehicle speeding away, when he looked out his front door the vehicle was gone. Mr. went to his back yard and heard a vehicle accelerating westbound on Sierra Crest Loop, located behind his home.

Mr. did not see or hear anything further.

SUSPECT/INMATE STATEMENTS:

As of August 27, 2004, both suspects are still outstanding.